

SENATE JOINT RESOLUTION 11
By Cohen

A RESOLUTION to honor and commend Charles W. Burson upon his meritorious service as Tennessee's Attorney General and Reporter.

WHEREAS, it is fitting that we should pause to pay tribute to those exemplary public servants who have served state government and their fellow citizens with the utmost dedication, integrity and professionalism; and

WHEREAS, Charles W. Burson of Memphis has served the good people of Tennessee with acumen, alacrity and intelligence as the state's Attorney General and Reporter for the past eight years; and

WHEREAS, General Burson has announced that he will quit this important post in February 1997, thus bringing to a close his distinguished tenure as Attorney General, a tenure that stands unequaled both in accomplished public service and tireless commitment to fairness and equity; and

WHEREAS, General Burson's departure creates a void that will not be easily filled, and his indelible legacy serves as a model that future Attorney Generals will do well to emulate; and

WHEREAS, during his eight-year tenure as the state's chief legal officer, General Burson has executed his office's numerous and varied duties both efficiently and effectively and with purpose and aplomb;

WHEREAS, he has developed a reputation as an advocate for consumer, environmental, anti-crime and anti-trust issues as Attorney General, and has served in the position longer than anyone in almost 30 years; and

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WHEREAS, General Burson has won universal praise for his astute management of an office that employs 115 attorneys, 140 other employees and has a nineteen million dollar annual budget; and

WHEREAS, General Burson has said that one of his most gratifying moments as Attorney General occurred when he was representing the state before the U.S. Supreme Court in the case of Payne v. State of Tennessee; Justice Thurgood Marshall asked him a question and General Burson began his reply by stating, "I represent the people of Tennessee."; and

WHEREAS, in this case, the U.S. Supreme Court, acting on General Burson's argument, recognized for the first time the prosecution's right to introduce information about the impact of crime on its victims and their families in the sentencing phase of capital punishment cases; and

WHEREAS, he has also initiated actions against deceptive marketing practices in many areas, and the task force he set up to combat telemarketing fraud resulted in 43 indictments and thirteen million dollars in restitution payments; and

WHEREAS, in the anti-trust field, General Burson and his staff conducted investigations and prosecuted cases against dairy companies for school milk bid-rigging, among many other offenders; and

WHEREAS, he also led the first state criminal prosecutions of environmental polluters and filed several civil enforcement actions; and

WHEREAS, his office's anti-crime initiatives have focused on reforming the notoriously slow post-conviction appeals process in an attempt to expedite resolution of criminal cases, especially capital cases that have languished for years; and

WHEREAS he served with distinction as president of the National Association of Attorneys General in 1994; and

WHEREAS, in 1996, General Burson was a partner with Governor Sundquist in establishing the Governor's Task Force on Arson at Places of Worship; and

WHEREAS, as the state's chief legal officer, he has also defended the state's position in some of the most significant public policy cases of the last decade, including the landmark

cases that deemed bingo as unconstitutional and began the end of the “Rocky Top” public corruption scandal; and

WHEREAS, throughout his august tenure, General Burson has faithfully upheld his oath of office and aggressively supported both the Tennessee Constitution and the U.S. Constitution, especially the First Amendment; and

WHEREAS, his stalwart dedication to First Amendment principles is perhaps best evidenced by his Attorney General’s opinions that a bill under consideration by the General Assembly prohibiting the teaching of evolution as fact was unconstitutional, as was a resolution encouraging the observance of the Ten Commandments; and

WHEREAS, in 1989, he opined that any restriction on issuing parade permits specifically directed at the Ku Klux Klan, skinheads or other specific groups would be prohibited by the First Amendment; and

WHEREAS, he also conducted a brilliant defense of the General Assembly’s most recent redistricting plan, and successfully appealed the federal three judge panel’s initial ruling; thus, in light of a new U.S. Supreme Court case, the Senate’s redistricting plan for 1992 was upheld; and

WHEREAS, Charles Burson also served astutely as a delegate to the 1977 Limited Constitution Convention; and

WHEREAS, as chair of the convention’s Limited Spending Committee, he authorized the state spending limit amendment to the Tennessee Constitution and was instrumental in having Milton Freedman and other distinguished scholars appear before the convention; and

WHEREAS, as a delegate to the 1977 Limited Constitutional Convention, Charles Burson worked assiduously to fulfill the important obligations of his office, serving alongside such luminaries as Convention President J.D. Lee and Vice-President Steve Cohen and working closely with Leonard Bradley, then of the Comptroller’s office; and

WHEREAS, Charles Burson’s unflagging support and sagacious advice have been essential ingredients in the outstanding success of numerous public figures, including Vice-

President Al Gore, then a lowly U.S. Senator, Senator Jim Sasser, U.S. Congressman Harold Ford, Shelby County Mayor Bill Morris and Tennessee Supreme Court Justice Frank Drowata; and

WHEREAS, a native of Memphis and a product of the Memphis Public Schools, Charles Burson is the son of Leo and Jocie Burson; Mrs. Burson was the first commissioner appointed to Governor Buford Ellington's cabinet during his second administration, serving as Commissioner of Employment Security from 1967-1971; and

WHEREAS, General Burson graduated with honors and distinction from the University of Michigan in 1966, earning a bachelor of arts degree; and

WHEREAS, he received his master of arts degree from Cambridge University in 1968 and his law degree from Harvard Law School in 1970; and

WHEREAS, he was engaged in the private practice of law from 1970-1988 as a partner in the Memphis firm of Wildman, Harold, Allen, Dixon and McDonnell; and

WHEREAS, his many professional accomplishment aside, Charles Burson is most appreciative of the love and companionship he shares with his wife Bunny, and their two daughters, Clare and Kate; the Bursons are devoted parents and are very proud of their daughters' academic success and athletic prowess; and

WHEREAS, Charles W. Burson has served the state of Tennessee with honor, proficiency and compassion as Attorney General, and he should be appropriately recognized as he leaves this important office; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDREDTH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, That this General Assembly hereby honors and commends Charles W. Burson upon his exemplary tenure as state Attorney General and Reporter and salutes his ongoing commitment to the highest precepts of equality and justice for all people.

BE IT FURTHER RESOLVED, That we wish General Burson much continued success as he pursues new horizons.

BE IT FURTHER RESOLVED, That an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.